



August 13, 2019

Via Email: elena@judgwatch.org

Elena Sassower
Center for Judicial Accountability, Inc.
PO Box 8101
White Plains, NY 10602

FOIL Request: #2509

Dear Elena Sassower:

This letter responds to your correspondence dated June 10, 2019, which pursuant to FOIL, requested:

all publicly-available records reflecting that the Commission has been fully appointed (§2.1) and is operational- and, specifically:

- (1) records of Governor Andrew Cuomo' s appointment of three commissioners-especially letters of appointment and public announcements or press releases with respect thereto;
- (2) records of Temporary Senate President Andrea Stewart-Cousins' appointment of one commissioner - especially a letter of appointment and public announcement or press release with respect thereto;
- (3) records reflecting Assembly Speaker Carl Heastie's appointment of one commissioner - especially a letter of appointment and public announcement or press release with respect thereto;
- (4) records establishing Chief Judge Janet DiFiore's appointment of two commissioners - especially letters of appointment and public announcements or press releases with respect thereto;
- (5) records establishing the interpretation intended by §3.1, to wit, whether the Commission's chair is to be designated by the Chief Judge from among her two appointees or whether such designation is to be made by the seven appointed commissioners or by the Commission's four appointing authorities;

(6) records of the Commission's funding, staffing, office address, phone number, e-mail, and website for discharging its statutory duties.

As of the date of your request, the Governor has not yet appointed any members to the Commission on Legislative, Judicial and Executive Compensation. Accordingly, the New York State Executive Chamber does not have any records responsive to your request.

Please also keep in mind that the Executive Chamber does not possess or maintain records of other State agencies, including the New York State Judiciary, the New York State Assembly and the New York State Senate.

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing: FOIL Appeals Officer, Executive Chamber, State Capitol, Albany, New York, 12224.

Very truly yours,

A handwritten signature in black ink, appearing to read "Valerie Lubanko". The signature is fluid and cursive, with the first name "Valerie" written in a larger, more prominent script than the last name "Lubanko".

Valerie Lubanko
FOIL Counsel
Records Access Officer